

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 61551

Taylor, Bean & Whitaker Mortgage Corp.  
1417 Magnolia Avenue  
Ocala, Florida 34474

7622 Parkwood Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 18, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-2-404 (A)(1)(1), failure to repair exterior walls, roof and foundation; section 35-2-404 (a)(4)(i)(ii), failure to board and secure openings to residence; section 13-7-201 (2), failure to eliminate stagnant pool water on residential property known as 7622 Parkwood Road, 21222.

On October 21, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ray Harmon issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$10,000.00 (ten thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. Multiple Correction Notices have been sent to Respondent in 2009, on April 29, May 27, June 8, September 9, and September 17, requesting repair of exterior structure of house and gutters, repair of privacy fence, remove trash, debris and junk, cut and remove tall grass and weeds, remove stagnant pool water, and board and secure building. Respondent has been billed \$395.52 for contractor services to correct the tall grass and weeds violation. This Citation was issued on October 21, 2009.

B. The property owner is a mortgage company; the house is vacant, and review of the file shows that it has been vacant since at least April 2009. Because it has been vacant for more than six months, this property is classified as an "investment property" under County law. BCC Section 35-2-401.

C. Photographs in the file show a single family house in significant disrepair. Multiple pieces of siding are partially detached or missing. At least one small window appears to lack glass or other covering. Siding and soffits along the roof line are missing or partially detached, with large openings visible into the roof or attic area of the house. Siding under the bottom sill of the rear door is also missing, leaving a large gap.

D. Respondents are required by law to maintain this property in conformance with County code standards, including keeping it weathertight with roof, soffits, siding, windows and doors in good repair. BCC Section 35-2-404. The house needs immediate work to make it secure from human or animal encroachment. Respondents have failed to meet these obligations and have failed to respond to the County's notices.

E. Photographs in the file also show an in-ground swimming pool filled with stagnant water. The stagnant water in the swimming pool must be abated. Property owners must maintain their premises in a clean, safe and sanitary condition free from infestation. Baltimore County Code Section 35-5-302. Stagnant water as observed here breeds mosquitoes and other public health hazards.

F. Because compliance is the goal of code enforcement, the civil penalty will be significantly reduced if Respondent corrects violations within the time provided below. If Respondent fails to correct the violations, the County will be authorized to correct violations at Respondent's expense.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$10,000.00 (ten thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED BY \$5,000.00 (five thousand dollars) if the most urgent violations are corrected by December 15, 2009, with the exterior structure boarded and otherwise secured from human and animal encroachment, and the stagnant water removed from the swimming pool.

IT IS FURTHER ORDERED that after December 15, 2009, the County may enter the property for the purpose of boarding and securing the house and for the purpose of abating the stagnant water from the pool, at Respondent's expense.

IT IS FURTHER ORDERED that the civil penalty will be REDUCED by \$4,000.00 (four thousand dollars) if the building code violations are corrected by January 11, 2010, with repairs made to exterior structures including siding, soffits, and windows, making the house weathertight. If the repairs are not made by that date, Respondent will be subject to additional Citation with civil penalties for the continued code violations.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

7622 Parkwood Road  
Page 4

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 30<sup>th</sup> day of November 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf